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POWER BUSINESS TECHNOLOGY, LLC

**BOUTIN JONES INC.**

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Attorneys for Defendants

WiZiX Technology Group, Inc., Gary Johnson,

Tyler Johnson, Brad Farnum, and Joseph Power

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

POWER BUSINESS TECHNOLOGY, LLC,

Plaintiff,

vs.

WiZiX TECHNOLOGY GROUP, INC.;  
GARY JOHNSON; TYLER JOHNSON;  
BRAD FARNUM; JOSEPH POWER; and  
DOE Defendants 1 through 20, inclusive,

Defendants.

**Case No. 2:23-CV-00518 AC**

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING SCHEDULING  
ORDER [ECF NOS. 45 & 47]**

Complaint filed: March 17, 2023

Plaintiff, Power Business Technology, Inc. ("Plaintiff") and Defendants, WiZiX Technology Group, Inc., Gary Johnson, Tyler Johnson, Brad Farnum, and Joe Power (collectively "Defendants"), by and through their counsel of record, met and conferred on the existing scheduling order, issued on September 18, 2024 and modified on May 21, 2025. (ECF Nos. 45 and 47.)

The Parties agree that, despite diligent efforts to advance the case, good cause exists to modify the scheduling order. FRCP Rule 16(b). While the parties agreed, and the Court approved, to extend the discovery deadlines in this matter in May of 2025, additional time is still necessary to complete discovery and prepare for trial. Specifically, discovery will require the review and production of a significant amount of electronically stored information (“ESI”) and will include the exchange of highly sensitive information. To that end, the parties have entered into an ESI protocol and a stipulated protective order. (*See* ECF Nos. 49-50.) However, despite the parties initially agreeing to search terms for Defendants’ production, and despite Defendants’ diligently engaging e-Discovery vendors for assistance, over 400,000 possibly responsive documents have been identified. As a result, the parties need to continue to meet and confer regarding new search terms and/or a technology assisted review protocol (“TAR”) in order to review these documents and/or cull these documents to a reasonable amount for review. Moreover, the parties have conducted the discovery that could be performed before the aforementioned production is delivered. The first round of interrogatories have been completed by both sides. As for depositions, Plaintiff has conducted a party deposition (of a party-employee that admittedly did not send many emails), and Defendants have their first person most knowledgeable deposition scheduled for September 30, 2025.

However, due to the nature of the allegations and disclosures in this case, the parties anticipate that they will likely need to take more than 20 depositions combined—which cannot occur until after Defendants’ initial document production is made. This is necessary as the majority of third party witnesses are anticipated to be identified from the documents production. The current fact discovery deadline of December 1, 2025 creates an unnecessary burden on all parties, and will prevent this matter from being fully adjudicated on the merits, especially in light of the extraordinary amount of potentially responsive documents.

Accordingly, the Parties hereby stipulate and submit the following proposed changes to certain deadlines in the scheduling order:

<b>Deadline</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Fact Discovery Shall Be Completed	December 1, 2025	September 1, 2026

1	Disclosure of Initial Experts and	December 15, 2025	September 15, 2026
2	Production of Reports		
3	Disclosure of Rebuttal Experts and	January 5, 2025	October 5, 2026
4	Production of Reports		
5	Expert Discovery Shall be Completed	January 16, 2026	October 16, 2026
6	Deadline to file all motions, except		
7	motions for continuances, temporary	January 23, 2026	October 23, 2026
8	restraining orders, or other emergency		
9	applications		
10			
11	Final Pretrial Conference	February 25, 2026	December 2, 2026
12		at 10:00 a.m.	at 10:00 a.m. (or first
13			available date thereafter)
14	Jury Trial	April 27, 2026	February 1, 2027
15		at 9:00 a.m.	at 10:00 a.m. or first
16			available date thereafter)

DATED: September 22, 2025

STOEL RIVES LLP

By: /s/ Corey M. Day

THOMAS A. WOODS

COREY M. DAY

Attorneys for Plaintiff POWER

BUSINESS TECHNOLOGY, LLC

DATED: September 22, 2025

BOUTIN JONES INC.

BY: /s/ Ian K. McGlone

Daniel S. Stouder

Ian K. McGlone

Attorneys for Defendants

WiZiX Technology Group, Inc., Gary Johnson,  
Tyler Johnson, Brad Farnum, and Joseph Power

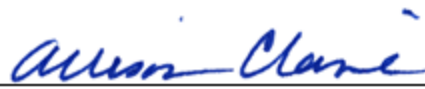
## [PROPOSED] ORDER

Before the Court is the Parties' stipulation regarding proposed changes to the September 18, 2024 scheduling order, which was previously modified by the May 21, 2025 stipulation and order. (ECF Nos. 45 and 47.) After reviewing the stipulation, the Court finds that good cause exists to revise the scheduling order and revises it as follows:

Deadline	Current Deadline	New Deadline
Fact Discovery Shall Be Completed	December 1, 2025	September 1, 2026
Disclosure of Initial Experts and Production of Reports	December 15, 2025	September 15, 2026
Disclosure of Rebuttal Experts and Production of Reports	January 5, 2025	October 5, 2026
Expert Discovery Shall be Completed	January 16, 2026	October 16, 2026
Deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications	January 23, 2026	October 23, 2026
Final Pretrial Conference	February 25, 2026 at 10:00 a.m.	December 2, 2026 at 10:00 a.m.
Jury Trial	April 27, 2026 at 9:00 a.m.	February 1, 2027 at 10:00 a.m.

IT IS SO ORDERED.

DATED: September 23, 2025

  
 ALLISON CLAIRE  
 UNITED STATES MAGISTRATE JUDGE